

804 KAR 11:010. Equipment and supplies.

RELATES TO: KRS 244.500, 244.590

STATUTORY AUTHORITY: KRS 241.060(1), 244.590(1)(c), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 241.060(1) authorizes the board to promulgate administrative regulations regarding matters over which the board has jurisdiction. KRS 244.590(1)(c) authorizes the malt beverage administrator to prescribe by administrative regulation the types of equipment or other things of value a brewer or distributor may furnish to a malt beverage retailer. This administrative regulation establishes the items that a brewer or distributor may furnish to a retail licensee and other licensees.

Section 1. General Prohibition. A brewer or distributor shall not furnish equipment to a retail malt beverage licensee except as authorized by this administrative regulation.

Section 2. Draft Equipment. (1) A brewer or distributor may furnish to a retail licensee that sells draft malt beverages:

- (a) Tapping accessories;
- (b) Rods;
- (c) Vents;
- (d) Taps;
- (e) Hoses;
- (f) Washers;
- (g) Couplings;
- (h) Vent tongues;
- (i) Check valves; and
- (j) Tap knobs.

(2) A tap knob, or similar device, bearing a brand name may only be used to dispense malt beverages of that brand name.

Section 3. Special Temporary Licensees. (1) A brewer or distributor may furnish vats, tubs, tanks, or portable dispensing units to special temporary licensees, picnics, bazaars, carnivals, and other similar types of events.

(2) The equipment may bear advertising associated with a particular brand that is visible to the consumer.

Section 4. Leased Equipment. A brewer or distributor may lease equipment and supplies to retail licensees in accordance with commercially reasonable terms.

Section 5. Prior Administrative Regulation. A brewer or distributor shall not be in violation of KRS 244.590 if the brewer or distributor furnished a refrigerated cooler to a retailer between July 15, 2016 and January 1, 2018 if in conformity with the requirements of this administrative regulation that were then in existence. (ABC 12:10; 1 Ky.R. 847; eff. 5-14-1975; Am. 9 Ky.R. 381; eff. 10-6-1982; 31 Ky.R. 628; 940; eff. 11-26-2004; 43 Ky.R. 338, 752; eff. 1-6-2017; 44 Ky.R. 1147, 1854; eff. 3-9-2018.)